

ASSIGNED

SECOND AMENDED

Nº 42197

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

AUG 26 1980

Date of filing in State Engineer's Office.....

FEB 6 1981

Returned to applicant for correction.....

FEB 17 1981

Corrected application filed.....

FEB 17 1981 under 42196

Map filed.....

The applicant John J. and Betty Elges

Post Office Box 103, of Winnemucca,
Street and No. or P.O. Box No. City or Town

Nevada 89445, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is unnamed spring
Name of stream, lake or other source.

2. The amount of water applied for is .015 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 2.373 acres, more or less

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T.39N., R.46E., M.D.B.&M., or at a point from which the E.1/16 corner 17/20 bears S0°33'E. 2,281'.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. Place of use 2.373 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T.39N., R.46E., M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) clean spring, install water box and pipeline
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works..... in excess of \$1,000.00
10. Estimated time required to construct works..... three (3) years
11. Estimated time required to complete the application to beneficial use..... five (5) years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Any excess water will be left at the point of diversion for use
by the wildlife of the area.

Applicant.....
Pro. 3/20/81 by BLM

By..... JOHN H. MILTON, III, R.L.S., Agent
s/John H. Milton III
146 West Second Street
Winnemucca, Nevada 89445

Compared ha/bl..... jik/bl.....

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ^{deny} ~~grant~~ the same, subject to the following limitations and conditions:

This application is hereby denied on the grounds that there is no unappropriated water in the source as set forth in the Final Judgment and Decree of the Humboldt River Adjudication and further that granting said application would impair the value of existing rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 2nd day of September

A.D. 19 86

State Engineer